

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)	
	Plaintiff,)
vs.)	Case No. 10-0008-01-CR-W-FJG
Jose A. Radillo,)	
	Defendant.)

ORDER

Pending before the Court is defendant's motion to suppress (Doc. #24), filed October 20, 2010, and the government's response (Doc. #29), filed November 5, 2010.

United States Magistrate Judge Sarah W. Hays held an evidentiary hearing on December 7, 2010 (Doc. #35), and entered a report and recommendation (Doc. #40, January 19, 2011) which recommended denying the above-mentioned motion. No objections to Magistrate Hays' report and recommendation were filed.

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress (Doc. #24), filed October 20, 2010, must be denied.

Accordingly, it is

ORDERED that the magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress (Doc. #24), filed October 20, 2010, is denied.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 03/07/11
Kansas City, Missouri